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Albany, NY

Governor Cuomo Announces Comprehensive Plan to Accelerate the Development of Atlantic Yards Project and Ensure Timely Delivery of Public Benefits

Governor Andrew M. Cuomo today announced a comprehensive plan to accelerate the development of Atlantic Yards, including a fast tracked timeline for delivery of affordable housing. The new plan will shorten the completion timeframe to build 2,250 affordable apartments by ten years, from 2035 to 2025. Additionally, the deal will create a board, the Atlantic Yards Community Development Corporation, to provide input on development, housing, and community impact throughout the completion of the project.

Mayor Bill de Blasio announced that as part of the plan to accelerate affordable housing construction at the site, the City Housing Development Corporation (HDC) will provide financial support to ensure the delivery of two 100% affordable housing buildings, totaling at least 590 units, and construction will begin by December 2014. The buildings will accommodate a broader range of family incomes including those with very low incomes and feature a greater mix of family-sized units that reflect the community's needs. Consistent with its affordable housing plans commitment to maximize the returns on every dollar, the administration secured nearly twice as many units of affordable housing for its investment compared to the first building under construction at the Atlantic Yards site.

"Today we are putting the development of Atlantic Yards on the fast track and expediting the construction of thousands of units of affordable housing in Brooklyn, **Governor Cuomo** said. New York State is delivering a plan that will ensure this vital housing is built quickly and efficiently and that the community is engaged in every step of the project. This agreement is a win for the state and most importantly for Brooklyn residents who will finally begin to see affordable buildings being constructed in their neighborhoods.

Mayor Bill de Blasio said, We are determined to jumpstart affordable housing at Atlantic Yards. And we are proud to have worked with Governor Cuomo and the coalition that's joined together in this community to get this project moving in real time. The agreement means two 100-percent affordable buildings will go in the ground starting next year, with units serving a more diverse range of families. And what's remarkable is that compared to the project's first building, we've secured nearly twice as many affordable units for our City investment.

Empire State Development President, CEO & Commissioner Kenneth Adams said, This new agreement is a major breakthrough in the Atlantic Yards project. The revised plan ensures that the affordable housing at Atlantic Yards will be completed ten years earlier and the community will have an enhanced role. I would like to acknowledge the efforts of Governor Cuomo, Mayor Bill de Blasio, Congressman Hakeem Jeffries, Assembly Member Walter Mosley, MaryAnne Gilmartin, President and Chief Executive Officer of Forest City Ratner Companies, Michelle de la Uz, Executive Director of the Fifth Avenue

Committee, Gib Veconi, Treasurer of the Prospect Heights Neighborhood Development Corporation, and the community groups they worked on behalf of, whose joint efforts contributed to today's agreement.

MTA Chairman and CEO Thomas F. Prendergast said, This new agreement between the MTA and Forest City is better for the Long Island Rail Road, better for the community, and better for everyone who will benefit from the new development coming to what was long an open sore in the heart of Brooklyn. The MTA is glad to be able to help make this improvement happen in a way that benefits everyone involved.

Congressman Hakeem Jeffries said, Through the leadership of Governor Cuomo, establishment of the Atlantic Yards Community Development Corporation will strengthen our community's voice and ensure meaningful participation in this important public-private partnership moving forward.

Assembly Member Water Mosley said, "The Atlantic Yards project has been a definitive part of our city's development -- transforming Brooklyn's landscape and providing the opportunity to maximize on our complex urban environment. Today, the Project moves in the right direction addressing the great need for affordable housing within a 10 year timeline. It also provides much needed oversight through a subsidiary that includes community involvement. I look forward to continuing along this path of progress and accountability, and ensuring that the needs of our community are prioritized and efficiently addressed."

Assembly Member James Brennan said, "It's great news that Forest City Ratner Inc. and the New York State government are agreeing to speed up the delivery of affordable housing without litigation. Thank you to Brooklyn Speaks, the coalition of community groups, who have been pressing for the need to speed up the delivery, for their successful initiative that will resolve this important community issue."

Council Member Laurie Cumbo said, Affordable housing is one of Brooklyn's greatest challenges and this agreement addresses it head on. I thank the Governor, the Mayor and the community advocates for making sure this project was done right. I am grateful for all the community members who fought the good fight to keep Brooklyn, Brooklyn.

Council Member Brad Lander said, It's great to see affordable housing, more units for families, and public accountability all meaningfully accelerated at Atlantic Yards. Congratulations to all the partners on achieving this collaborative step forward for a vibrant and inclusive future for Brooklyn.

MaryAnne Gilmartin, President and Chief Executive Officer of Forest City Ratner Companies said, FCRC is very pleased to commit to an accelerated schedule for building out Atlantic Yards. We have worked tirelessly to move the project forward. With our new development partner Greenland USA on board we anticipate starting an all affordable residential building by the end of this year and another in June of 2015. We recognize the critical need to bring affordable housing to market and are proud to deliver on this public good with our state, city and community partners. Today is very much a new day for the Atlantic Yards project. We are excited to move forward with a great partner, an aggressive building schedule and stronger community alignment.

Michelle de la Uz, Executive Director of the Fifth Avenue Committee said, The changes in Brooklyn over the last several years, including those involving Atlantic Yards are staggering and promise considerable affordable housing and economic development opportunities, but also threaten the incredible diversity that defines the borough and the City as a whole. This agreement between the BrooklynSpeaks community groups, local residents, New York State and Forest City is an important step at a crucial phase in Atlantic Yards development. It will help ensure that inclusion, transparency and public accountability are part of the project moving forward.

Gib Veconi, Treasurer of the Prospect Heights Neighborhood Development Council said, The economic realities of solving the city's affordable housing crisis will increasingly call for public/private partnerships similar to the Atlantic Yards project. Today's agreement shows that communities can work with the State to hold developers accountable for their commitments to the public. The BrooklynSpeaks sponsors are gratified to have been able to play a role in accelerating the delivery of affordable housing at Atlantic Yards, and will continue to constructively engage the State, the City and the developers as we advocate for the residents of the communities surrounding the project in the months and years ahead.

Ismene Speliotis, Executive Director, Mutual Housing Association of NY (MHANY) said, MHANY, New York Communities for Change and The Black Institute have supported this development for over ten years and were integral in establishing the commitment for 2,250 affordable housing units. Accountability for the realization of this commitment has been monitored through the Community Benefit Agreement, in which our organizations participate. To finally get to a place where we are moving full steam ahead on this ten year agreement for a wide range of hard working families is welcome news. I applaud Governor Cuomo, Mayor de Blasio, and ESD for their diligent work to ensure that this happens for everyone here in Brooklyn who long for an affordable place to live and want downtown Brooklyn to be the economically and racially diverse neighborhood that reflects all of Brooklyn.

Reverend Clinton M Miller, Pastor of Brown Memorial Baptist Church said, This agreement is a win for everyone involved, with thousands of affordable apartments becoming available sooner for the many families who love Brooklyn and want to continue living here. I am proud to stand with the Governor, Mayor, FCRC and Fifth Ave Committee in support of this enormously important agreement.

Earlier today the Empire State Development Corporation Board voted to modify the Atlantic Yards Project by:

- Shortening the completion timeframe by ten years so that the project developers will build all affordable housing by 2025, ten years ahead of the previous deadline of 2035. Developers will pay liquidated damages for any remaining affordable housing units that have not been built by the new deadline.
- Ensuring sustained development of affordable housing by requiring that the project developers will provide 35 percent of the completed units at the site as affordable housing units until 1,050 affordable housing units are built. This new deal ensures that the delivery of affordable units does not lag behind the creation of market rate units.

- Committing the project developers to begin construction on two affordable housing buildings by June 2015. The affordable housing lottery will be administered by the City of New Yorks Housing Development Corporation. All apartments will be awarded through a lottery process with eligibility determined by income.
- Creating a new subsidiary organization, the Atlantic Yards Community Development Corporation, an entity to provide input on development, housing, and community impact throughout the completion of the project.

ESD has negotiated more stringent requirements with the developers as part of the Memorandum of Environmental Commitments (MEC).

Highlights of these changes include:

- Closer monitoring and oversight of the On-Site Environmental Monitor (OEM) staffing, including during off-hour work periods, and a requirement that that OEM be a qualified outside engineering firm or construction management firm consent to by ESD;
- Requirement that the OEM will have substantial construction management experience in New York City and will be located on-site;
- Requirement to include commitments in all site contracts and implementation of remedies for non-compliance, including the right to withhold payment or terminate the contract for non-compliance;
- Stringent new requirements to reduce emissions from diesel-powered construction equipment;
- Strengthening requirement to provide double-glazed windows and ventilation to residents affected by significant construction noise;
- Requirements for Dust Management Plans;
- More stringent noise protocols for construction equipment, including using sound-mitigated back-up alarms;

In addition, The Metropolitan Transportation Authority (MTA) this week approved a new plan to speed up construction of building foundations in the MTA Long Island Rail Road (LIRR) rail yard on the site, which is an important step to allow Forest City to begin building a platform above the yard and to allow future phases of the Atlantic Yards development to rise.

Forest City has already committed to building a new permanent rail yard on the site, which will be able to service and store additional trains when the LIRR begins expanded service for its East Side Access project. The permanent yard construction completion deadline will be extended from June 2016 to December 2017 in recognition of the expanded scope of work, as well as the substantial excavation and other preparatory work already performed on the site. The MTA Boards action Wednesday allows Forest City to build the platform foundations at the same time as the rail yard, which will make construction

more efficient, reduce disruptions in the surrounding area, and eliminate conflicts between railroad operations and platform foundation construction.

The Atlantic Yards Project is a 22-acre, \$4.9 billion project, that consists of the 18,000-seat Barclays Arena, which has hosted over 300 events since opening in September 2012, including the NBA's Brooklyn Nets, concerts, and other events; the development of a reconfigured and improved LIRR train yard and subway facility improvements; the development of 16 buildings for residential, office and retail uses and potentially a hotel, including up to 6,430 apartments, which will include 4,500 rental units of which 2,250 units (50 percent) will be affordable to low, moderate and middle income households; and the creation of eight acres of publicly accessible open space.